"WHITE COLLAR" LIABILITY FOR INTERNATIONAL CRIMES: THE LAFARGE CASES

RESPONSABILIDADE DE "COLARINHO BRANCO" POR CRIMES INTERNACIONAIS: OS CASOS LAFARGE

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Abstract: This paper addresses the connection between International Criminal Law (ICL) and Economic Criminal Law, discussing the theoretical frameworks of criminal liability of corporations and corporate agents for gross human rights violations. In addition, it discusses the cases brought against Lafarge and its subsidiaries and executives in the United States and France for conducting business with the Islamic State. It concludes that, while contemporary international courts generally do not have jurisdiction over legal persons, the special part of ICL provides a useful framework for addressing misconduct at the domestic level and warns economic actors of liability risks.

Keywords: international criminal law; white-collar criminality; terrorism.

Resumo: O presente trabalho aborda a conexão entre o Direito Internacional Penal e o Direito Penal Econômico discutindo as diretrizes teóricas da responsabilidade penal de empresas e seus agentes por graves violações de Direitos Humanos. Em acréscimo, discute os casos movidos contra a companhia Lafarge nos Estados Unidos e na França pela realização de negócios com o Estado Islâmico. Conclui-se que, ainda que tribunais internacionais geralmente não possuam jurisdição sobre pessoas jurídicas, a parte especial do Direito Internacional Penal oferece uma base útil para lidar com má conduta no plano doméstico e alerta agentes econômicos dos riscos de responsabilidade.

Palavras-chave: direito penal internacional; criminalidade de colarinho branco; terrorismo.

1. Introduction

In 2014, the "Islamic State" came to control large parts of Syria and Iraq and committed terrorist attacks there and abroad. Recently, the French company Lafarge admitted in a deal with US authorities to having conducted transactions with the group (**USA**, 2022, §2-3). Meanwhile, French charges for complicity in crimes against humanity were confirmed by the Cour de Cassation (**France**, 2021).

The Lafarge affair inspires discussions on the liability of corporations and their agents for international crimes, not a new phenomenon, as per the postwar prosecution of individuals for economic involvement in Axis crimes (**Ambos**, 2018, p. 506). Thus, this paper discusses the contemporary use of International Criminal Law (ICL) to address corporate misconduct.

2. International Economic Criminal Law

Sutherland's (1940, p. 1-3) concept of "white collar crime" referred to crimes of the "upper class" in "two categories: misrepresentation of asset values and duplicity in the manipulation of power", a definition rejected by contemporary literature (**Araújo; Souza**, 2023, ch. 2.1). Despite its "umbrella" nature, **Friedrichs** (2020, p. 17) notes that such criminality is not

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usually associated with international crimes. One tends to think about tax evasion, not genocide.

In such scenario, **Ambos** (2018, p. 499-501) talks about "International Economic Criminal Law", a subsect of ICL addressing core international crimes and transnational crimes committed by corporations and agents. International regulatory initiatives for corporations tend to be nonbinding (**Stoitchkova**, 2010, p. 12 and 16) and, despite the French insistence to include liability for legal persons in the Rome Statute, its Article 25 (**International Criminal Court [ICC]**, 2021) establishes jurisdiction "over natural persons", indirectly denying jurisdiction over the former (**Frulli**, 2002, p. 532-533; **Schabas**, 2016, p. 564).

Regardless, domestic prosecution, applying domestic concepts, has precedence over **ICC** (2021) adjudication, and the receptivity to corporate criminal liability varies among States (**Beale; Safwat**, 2004, p. 89; **Buell**, 2023, p. 100; **Stoitchkova**, 2010, p.7; **Wagner**, 1999, p. 600). While the Rome Statute is silent about applying the elements of crimes in domestic litigation, nothing stops the Court from exercising jurisdiction over individuals for business-related offenses.

3. Modes of liability

Literature and jurisprudence show that, due to scale, international crimes tend to involve multiple individuals (**Cassese; Gaeta**, 2013, p. 162; **Cryer; Robinson; Vasiliev**, 2019, p. 341; **International Criminal Tribunal For The Former Yugoslavia**, 1999, §191) under various modes of liability, such as direct commission, indirect commission, joint criminal enterprise, aiding and abetting, command responsibility, etc. (**Ambos**, 2021a, p. 160-405; **Cassese; Gaeta**, 2013, p. 161-199; **Cryer; Robinson; Vasiliev**, 2019, p. 342-379; **Hemptinne; Roth; Sliedregt**, 2019). None of them is intended for legal persons, even if corporations may be principals and accessories (**Ambos**, 2018, p. 503-504), following the categories of abuse by **Clapham and Jerbi** (2001, p. 342): "direct corporate complicity, beneficial corporate complicity, and silent complicity."

A possible domestic reluctance to apply "international" modes of liability has been observed (**Hemptinne; Roth; Sliedregt**, 2019, p. 2), making ICL more useful in the definition of offenses. **Stahn and Van den Herik** (2012, p. 41-43) claim that this "'translation' triggers a broad variety of 'local' expressions"", stronger for the "General Part" than for the "Special Part", a phenomenon similar to the idea of "double life of international norms" (**Nollkaemper**, 2011, p. 218)[1].

3.1. Corporate liability

The legal personality of companies is contentious within international legal scholarship (**Portmann**, 2010, p. 1; **Shaw**, 2021, p. 227; **Wouters; Chané**, 2015, p. 228-229), and the most held position among authors remains denial, despite some acknowledgement that they may hold rights and obligations (**Crawford**, 2012, p. 121; **Rezek**, 2008, p. 152-153; **Wouters; Chané**, 2015, p. 228)[2]. As stated, corporations are not usually prosecuted internationally, except for confirmation of contempt charges against a TV Station by Special Tribunal for Lebanon (2014, §78-83), which has limited precedential value, as it does not refer to the core crimes and cannot be understood as a source of International Law (**Cassese; Gaeta**, 2013, p. 18). However, it reflects the willingness of a relevant institution to address this issue, perhaps inspiring developments or serving as an "interpretative tool" (**Powderly**, 2020, p. 499-505).

Domestic prosecutions tend to happen under various approaches, as each State decides the applicable theories, which may not coincide with the modes of liability of ICL (**Stahn; van den Herik**, 2012, p. 41-43). For instance, there may be differences in the list of offenses or the attributable acts (**Beck**, 2014, p. 570-572).

An Anglo-American creation, corporate criminal liability was adopted by some civil-law countries after the Cold War, but it remains opposed by others (**Beck**, 2014, p. 562-566; **Salvador Netto**, 2023, ch. 1.2). The *actus reus* and the *mens rea* of a corporation must be inferred from its agents, as it does not act on its own, and such acts must relate to the employment and benefit of the company (**Angelo *et al.***, 2020, p. 514-517; **Buell**, 2023, p. 106; **Kelsen**, 1952, p. 98-99)[3].

In sum, the prosecution of a company for international crimes requires the acceptance by prosecuting State and will follow its modes of liability.

3.2. Individual liability within corporate structures

The liability of natural persons does not raise as many debates, even if the status of individuals as subjects of International Law lacks a definitive answer (**Gorski**, 2013, §1.18; **McCorquodale**, 2003, p. 321)[4]. Not a recent issue, it can be seen in the case law of the postwar tribunals, such as in the Flick, Krupp and other cases (**Ambos**, 2018, p. 506; **Germany**, 1949). In addition to domestic prosecutions, these individuals may be subjected to the jurisdiction of the ICC and its modes of liability (**Cryer; Robinson; Vasiliev**, 2019, p. 343).

Direct perpetration tends to happen jointly or through other individuals, except for the usual example of an employee of a private military company who "pulls the trigger" or situations alike (**Ambos**, 2018, p. 504) The most probable form of liability would be coperpetration based on joint control, requiring a common plan (even if not originally criminal) and essential contributions by the accused with the correct mental elements (**Sliedregt; Yanev**, 2019, p. 95). In addition, joint criminal enterprise (JCE), especially JCE I ("common criminal purpose") and JCE III ("assumption of risk"), may incur. The former requires a significant contribution, even if not illegal in itself (**Ambos**, 2021b, p. 1,200), and the latter requires the foreseeability of an incidental offense and the willingness to take the risk (**Cassese; Gaeta**, 2013, p. 164-169).

Agents may also "aid and abet" (*i.e.*, knowingly providing substantial assistance to) the crime (**Cassese; Gaeta**, 2013, p. 193), as in the Zyklon B case (**United Nations War Crimes Commission**, 1946, p. 93). Such scenarios seem a probable concern for businesses in war or other zones where international crimes may occur.

Moreover, a criticism of white-collar crime prosecutions—the "strict liability" of corporate agents—applies to ICL. It is necessary to resist the temptation of condemning individuals for merely holding a position within a structure without a careful examination of their individual responsibility (**Ávila**, [*s.d.*], p. 11)[5]. Nevertheless, the "responsibility gap" of management, as described by **Buell** (2018, p. 473), is also concerning and must be addressed.

4. The Lafarge cases

Arising after the US invasion of Iraq, ISIS profited from the power vacuum in war-torn Syria and the weak Iraqi government in the early 2010s (**Raja**, 2019, p. 8-11), gaining notoriety for atrocities. In 2021, the French *Cour de Cassation* confirmed the indictment of Lafarge S.A. for complicity in crimes against humanity committed by the group (**France**, 2021). Proceedings have also been brought

against the company and one subsidiary in the USA under domestic antiterrorist law, resulting in a plea agreement (USA, 2022). It is accused of paying large amounts to armed groups, including Daesh, to maintain the operation of a cement plant in Jalabiya, Syria (**France**, 2021, §5; **USA**, 2022, §15).

These cases are economically and legally remarkable. The French Penal Code, in its *Dispositions générales*, prescribes criminal liability for natural and legal persons (except for the State). Accordingly, accomplices provide aid or assistance and "shall be punished as author" (**France**, 1994, translated), but the wording is ambiguous, stating that the accomplice shall be punished as an author but not as the author, authorizing different penalties (**Salvage**, 2016, p. 101).

While complicity once seemed closer to coperpetration within ICL (**Ambos**, 2021b, p. 1,200), the elements of the French definition are comparable to the idea of "aiding and abetting." Similar to French law, the **ICC** (2021) statute does not establish different sentencing guidelines for aiding and abetting in comparison to direct perpetration, in opposition to the **International Criminal Tribunal for the Former Yugoslavia** (2004, §182). Even if not explicitly stated in the literature (**Salvage**, 2016, p. 100-102), the same can be inferred from French law, as accessory perpetrators tend to have less culpability.

Lafarge did not share ISIS' ideology, but the plea agreement shows an informed choice to continue conducting business (**USA**, 2022). As pointed out, although the Rome Statute requires a stricter mental element than the *ad hoc* Tribunals (**Ambos**, 2021b, p. 1,225; **Schabas**, 2016, p. 578), French law does not possess the same requirement (**France**, 1994). Thus, it seems reasonable to hold the company liable for complicity, as it knowingly provided material support to a group openly committing atrocities, even if proving specific mental elements would be difficult (**Aparac**, 2020, p. 271).

The Court addresses this: Crimes against humanity require a plan and a systematic or widespread attack against a civilian population, but the accomplice does not need to be part of the organization, share its plan, or approve the offenses. Knowing that these crimes would be facilitated by one's acts would be sufficient, even if committed for commercial reasons (**France**, 2021, §61-83).

The ruling does not make explicit reference to the Rome Statute (**France**, 2021), but it can be seen that crimes against humanity in the Penal Code (**France**, 1994) are similar to the former (ICC, 2021), possibly manifesting the "friction" between International and Domestic Criminal Law, as described by **Stahn and Van den Herik** (2012, p. 41-43).

5. Final remarks

The Lafarge cases are relevant to the development of ICL. As seen, international courts do not usually exercise jurisdiction over legal persons, in spite of their means and incentives to commit or overlook human rights violations. Progress has been made in the notions of "business and human rights", "corporate social responsibility", and "ESG", but there is skepticism on whether it is merely a public relations move (**Deva**, 2020, p. 7-9).

While adopting human rights discourse may help, the Lafarge cases illustrate that it may not be sufficient. In its 2014 report, it emphasizes concerns with "social and environmental responsibility" and "risks and control", specifically mentioning Syria (**Lafarge**, 2015, p. 134-191). It was not enough. Even though there are legitimate concerns over the deterrence effect of ICL (**Ambos**, 2021a, p. 120; **McAuliffe**, 2012; **Stahn**, 2018, p. 383), it is a framework for addressing this sort of situation.

It is necessary to enable the prosecution of legal entities at the international level by expanding ICC's jurisdiction or through a new organization, similar to what has been argued by **Aparac** (2020, p. 274-275), even if the dialogue between national and international spheres was adequate in this case. Future situations may not receive an effective response, as States may be unwilling or unable (**ICC**, 2021) to prosecute important corporations. Domestic prosecutions may also be used as a political tool. In any case, human rights concerns must be considered by businesses, if not for their inherent value, for the liability risks. These cases may be a turning point for corporate accountability, but the States' disposition to enforce is yet to be verified.

Additional information and author's statements (scientific integrity)

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Notes

1. On the "'monism' vs. 'dualism' dichotomy", see Madruga (2008) and Shaw (2021, p. 111-113).
2. An interesting position is held by Higgins (2000, p. 49-50) according to whom the distinction between subjects and objects of International Law may not be that relevant.
3. Salvador Netto (2023) offers a profound discussion on the theoretical bases for the attribution of acts to legal entities from section 1.3 onwards. See also Kelsen (1952, p. 98).
4. For instance, within the Brazilian scholarship, Mello (2002, p. 780), Accioly, Silva and Casella (2019, p. 102) and Sousa (2008, p. 58-59) recognize the international legal personality of natural persons, which contrasts with the position adopted by Rezek (2008, p. 152-153). Internationally, this idea is rejected by authors such as Dupuy (1993, p. 49) and Kelsen (1952, p. 97) and accepted, in different degrees, by authors such as Hafner (2013). Others, such as Crawford (2012, p. 121) and Higgins (2000, p. 50), question the usefulness of the terminology.
5. See: REsp 193,1069/SP, Rel. Min. Laurita Vaz (Brazil, 2023).

References

ACCIOLY, Hildebrando; SILVA, Geraldo Eulálio do Nascimento e; CASELLA, Paulo Borba. *Manual de Direito Internacional Público*. 24. ed. São Paulo: Saraiva, 2019.

AMBOS, Kai. International Economic Criminal Law: The foundations of companies' criminal responsibility under international law. *Criminal Law Forum*, v. 29, n. 4, p. 499-566, 2018. https://doi.org/10.1007/s10609-018-9356-9

AMBOS, Kai. *Treatise on international criminal law*: Foundations and general part. 2. ed. Oxford: Oxford University Press, 2021a. v. 1.

AMBOS, Kai. *Rome Statute of the International Criminal Court*: article-by-article commentary. 4. ed. London: Beck/Hart, 2021b.

ANGELO, Matthew *et al*. Corporate Criminal Liability. *American Criminal Law Review*, v. 57, n. 3, p. 513, 2020. Available from: https://law.digital.georgetown.edu/handle/10822/1081000. Accessed on: 29 May 2025.

APARAC, Jelena. Business and armed non-state groups: challenging the landscape of corporate (un)accountability in armed conflicts. *Business and Human Rights Journal*, v. 5, n. 2, p. 270-275, jul. 2020. https://doi.org/10.1017/bhj.2020.8

ARAÚJO, Marina Pinhão Coelho; SOUZA, Luciano Anderson de. Capítulo 2: Conteúdo do Direito Penal Econômico. *In*: ARAÚJO, Marina Pinhão Coelho; SOUZA, Luciano Anderson de (org.). *Direito Penal Econômico*. 2. ed. São Paulo: Thomson Reuters Brasil, 2023.

ÁVILA, Anne Caroline Primo. *Direito Penal Econômico e Criminal Compliance*. São Paulo: Damásio Educacional, [*s.d.*].

BEALE, Sara Sun; SAFWAT, Adam G. What developments in Western Europe tell us about American critiques of corporate criminal liability. *Buffalo Criminal Law Review*, v. 8, n. 1, p. 89-163, 2004. https://doi.org/10.1525/nclr.2004.8.1.89

BECK, Susanne. Corporate criminal liability. In: DUBBER, Markus D.; HÖRNLE, Tatjana (org.). *The Oxford Handbook of Criminal Law*. Oxford: Oxford University Press, 2014. p. 560-582.

BRAZIL. Superior Tribunal de Justiça (Sexta Turma). *REsp 1931069/SP*, Rel. Min. Laurita Vaz. Brasilia: STJ, 26 abr. 2023.

BUELL, Samuel W. The responsibility gap in corporate crime. *Criminal Law and Philosophy*, v. 12, n. 3, p. 471-491, 2018. https://doi.org/10.1007/s11572-017-9434-9

BUELL, Samuel W. Corporate criminal liability. *In*: PETRIN, Martin; WITTING, Christian (org.). *Research Handbook on Corporate Liability*. Cheltenham, UK; Northampton, USA: Edward Elgar, 2023. p. 100-115.

CASSESE, Antonio; GAETA, Paola. *Cassese's international criminal law*. 3. ed. Oxford: Oxford University Press, 2013.

CLAPHAM, Andrew; JERBI, Scott. Categories of corporate complicity in human rights abuses. *Hastings International and Comparative Law Review*, v. 24, n. 3, p. 339-349, 2001.

CRAWFORD, James R. *Brownlie's principles of public international law*. 8. ed. Oxford: Oxford University Press, 2012.

CRYER, Robert; ROBINSON, Darryl; VASILIEV, Sergey. *An introduction to international criminal law and procedure*. 4. ed. Cambridge: Cambridge University Press, 2019.

DEVA, Surya. From business or human rights to business and human rights: what next? *In*: DEVA, Surya; BIRCHALL, David (org.). *Research Handbook on Human Rights and Business*. Cheltenham, UK; Northampton, USA: Edward Elgar Publishing, 2020.

DUPUY, René-Jean. *O Direito Internacional*. Coimbra: Almedina, 1993.

FRANCE. *Cour de cassation, criminelle, Chambre criminelle, 7 septembre 2021, 19-87.367, Publié au bulletin*. Paris: Légifrance, 2021. Available from: https://www.legifrance.gouv.fr/juri/id/JURITEXT000044105521. Accessed on: 13 Jan. 2025.

FRANCE. *Code pénal*. Paris: Légifrance, 1994. Available from: https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006070719. Accessed on: 21 Jan. 2025.

FRIEDRICHS, David O. White collar crime: definitional debates and the case for a typological approach. *In*: RORIE, Melissa L. (org.). *The handbook of white-collar crime*. Hoboken: Wiley-Blackwell, 2020. p. 16-31.

FRULLI, Micaela. Jurisdiction Ratione Personae. *In*: CASSESE, Antonio; GAETA, Paola; JONES, John R. W. D. (org.). *The Rome statute of the international criminal court*: a commentary. Oxford; New York: Oxford University Press, 2002. p. 527-542.

GERMANY (TERRITORY UNDER ALLIED OCCUPATION, 1945-1955: U.S. ZONE). *Trials of war criminals before the Nurenberg Military Tribunals under Control Council law No.* 10: Nuernberg, October 1946-April 1949. Washington, D.C.: U.S. GPO, 1949.

GORSKI, Simone. *Individuals in International Law*. (Technical note). Oxford: Oxford Public International Law, 2013. Available from: https://opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e829. Accessed on: 8 Dec. 2025.

HAFNER, Gerhard. *The emancipation of the individual from the State under International Law*. Leiden: Martinus Nijhoff, 2013. v. 358.

HEMPTINNE, Jérôme de; ROTH, Robert; SLIEDREGT, Elies van (org.). *Modes of liability in international criminal law*. Cambridge: Cambridge University Press, 2019.

HIGGINS, Rosalyn. *Problems and process*: international law and how we use it. Oxford: Clarendon, 2000.

INTERNATIONAL CRIMINAL COURT. *Rome Statute of the International Criminal Court*. Hague: ICC, 2021. Available from: https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf. Accessed on: 29 May 2025.

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA. *The Prosecutor v. Dusko Tadic*, Appeals Chamber, Judgement of 15 July 1999. Available from: https://ucr.irmct.org/scasedocs/case/IT-94-1#eng. Accessed on: 14 Jan. 2025.

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA. *The Prosecutor v. Mitar Vasiljevic*, Appeals Chamber, Judgement of 25 Feb. 2004. Available from: https://ucr.irmct.org/scasedocs/case/IT-98-32#eng. Accessed on: 14 Jan. 2025.

KELSEN, Hans. *Principles of international law*. New York: Rinehart, 1952.

LAFARGE. *Registration document*: Lafarge 2014 (Anual report). Paris: Lafarge, 2015. Available from: https://web.archive.org/web/20150417051907/http://www.lafarge.com/sites/default/files/atoms/files/03232015-press_publication-2014_annual_report-uk.pdf. Accessed on: 14 Jan. 2025.

MADRUGA, Antenor Pereira. Constituição brasileira de 1988: monista ou dualista? *Revista de Informação Legislativa*, v. 45, n. 179, p. 135-140, 2008.

MCAULIFFE, Padraig. Suspended disbelief? The curious endurance of the deterrence rationale in international criminal law. *New Zealand Journal of Public and International Law*, Victoria, v. 10, n. 2, p. 227-262, 2012.

MCCORQUODALE, Robert. The individual and the international legal system. *In*: EVANS, Malcolm D. (org.). *International law*. 1. ed. Oxford; New York: Oxford University Press, 2003. p. 299-325.

MELLO, Celso D. de Albuquerque. *Curso de Direito Internacional Público*. 14. ed. Rio de Janeiro; São Paulo: Renovar, 2002. v. 1.

NOLLKAEMPER, André. *National courts and the international rule of law*. Oxford: Oxford University Press, 2011.

PORTMANN, Roland. *Legal Personality in International Law*. Cambridge: Cambridge University Press, 2010.

POWDERLY, Joseph. *Judges and the Making of International Criminal Law*. Leiden, NL; Boston, USA: Brill; Nijhoff, 2020.

RAJA, Masood Ashraf. *ISIS*: Ideology, Symbolics, and Counter Narratives. 1. ed. London: Routledge, 2019.

REZEK, Francisco. *Direito Internacional Público*: Curso Elementar. 11 ed. rev. atual. São Paulo: Saraiva, 2008.

SALVADOR NETTO, Alamiro Velludo. *Responsabilidade penal da pessoa jurídica*. 3. ed. São Paulo: Thomson Reuters Brasil, 2023.

SALVAGE, Philippe. *Droit penal general*. 8. ed. Fontaine: Presses Universitaires de Grenoble, 2016.

SCHABAS, William. *The International Criminal Court*: A commentary on the Rome Statute. 2. ed. Oxford: Oxford University Press, 2016. v. 1.

SHAW, Malcolm N. *International law*. 9. ed. Cambridge, United Kingdom; New York, NY, USA: Cambridge University Press, 2021.

SLIEDREGT, E. van; YANEV, Lachezar. Co-perpetration based on joint control over the crimes. *In*: HEMPTINNE, Jérôme de; ROTH, Robert; SLIEDREGT, Elies van (org.). *Modes of liability in international criminal law*. Cambridge: Cambridge University Press, 2019. p. 85-120.

SOUSA, Denise Silva de. *O indivíduo como sujeito de Direito Internacional*. 1. ed. Curitiba: Juruá, 2008.

STAHN, Carsten. *A critical introduction to International Criminal Law*. 1. ed. Cambridge: Cambridge University Press, 2018.

STAHN, Carsten; VAN DEN HERIK, Larissa. 'Fragmentation', diversification and '3D' legal pluralism: International Criminal Law as the Jack-in-the-Box? *In*: VAN DEN HERIK, Larissa; STAHN, Carsten (org.). *The diversification and fragmentation of International Criminal Law*. Leiden, NL; Boston, USA: Brill; Nijhoff, 2012. p. 21-87.

STOITCHKOVA, Desislava Emanouilova. *Towards corporate liability in international criminal law*. Utrecht: Universiteit Utrecht, 2010.

SUTHERLAND, Edwin H. White-Collar Criminality. *American Sociological Review*, v. 5, n. 1, p. 1-12, 1940.

UNITED NATIONS WAR CRIMES COMMISSION. *The Zyklon B Case*: Trial of Burno Tesch and two others. Hamburg: British Military Court, 1946.

UNITED STATES OF AMERICA. *United States of America against Lafarge S.A. and Lafarge Cement Syria S.A.*: Plea Agreement. District of New York: Department of Justice, 2022. Available from: https://www.justice.gov/d9/press-releases/attachments/2022/10/19/us_v._lafarge_-_plea_agreement_and_attachments_ecf_0.pdf. Accessed on: 20 Nov. 2024.

WAGNER, Markus. Corporate criminal liability: national and international responses. *Commonwealth Law Bulletin*, v. 25, n. 2, p. 600-608, 1999. https://doi.org/10.1080/03050718.1999.9986542

WOUTERS, Jan; CHANÉ, Anna-Luise. Multinational Corporations in International Law. *In*: REINISCH, August; RYNGAERT, Cedric; NOORTMANN, Math (org.). *Non-state actors in international law*: Studies in international law. Oxford: Hart Publishing, 2015. p. 225-252.

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